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1 UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF GEORGIA

3 ATLANTA DIVISION

4 Civil Action No. 1:17-cv-02989-AT

5 _____

6 DONNA CURLING, et al.

7 Plaintiffs

8 vs.

9 BRAD RAFFENSPERGER, et al.

10 Defendants

11 _____

12 VIDEOTAPED DEPOSITION OF EMILY MISTY HAMPTON

13 DATE: November 11, 2022

14 TIME: 10:49 a.m. to 6:07 p.m.

15 LOCATION: Courtyard by Marriott Warner Robins
16 589 Carl Vinson Parkway

17 Warner Robins, Georgia 31088

18 REPORTED BY: Felicia A. Newland, CSR

19

20 Veritext Legal Solutions

21 1250 Eye Street, N.W., Suite 350

22 Washington, D.C. 20005

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C O N T E N T S

2

EXAMINATION BY:

PAGE

3

Counsel for Coalition Plaintiffs

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Counsel for Curling Plaintiffs

208

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Counsel for State Defendants

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Counsel for Coalition Plaintiffs

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HAMPTON DEPOSITION EXHIBITS

8

NO. DESCRIPTION

PAGE

9

Exhibit 1 Article, Secretary of State's Office

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10

Opens Investigation into Coffee County's

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Handling of Recount

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Exhibit 2 Text string messages, Gary with Dominion

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& Wendell Stone

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1 Exhibit 25 Photograph, (exterior only) Lenberg - 224

2 January 27, 28, 29

3 (Exhibits attached to transcript.)

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1 MR. MILLER: And do I need to make my
2 announcement?

* * * * *

11 Whereupon,

EMILY MISTY HAMPTON

13 was called as a witness and, having been first duly
14 sworn, was examined and testified as follows:

15 EXAMINATION BY COUNSEL FOR COALITION PLAINTIFFS
16 BY MR. BROWN:

17 Q Please state your name for the
18 record.

19 A Emily Misty Hampton.

20 Q Ms. Hampton, my name is Bruce Brown.
21 And I represent the Coalition Plaintiffs. I'm
22 going to be asking you some questions today. One

1 A That's my maiden name.

2 Q Okay. Thank you.

3 And when did you return to your
4 maiden name?

5 A I think it was February of '21.

6 Q And were you Martin before that?

7 A Correct.

8 Q Okay. Ms. Hampton, you were the
9 Coffee County Election supervisor. Is that right?

10 A Correct.

11 Q And what was -- when did you start
12 with Coffee County Election Office, the office
13 itself?

14 A 2012, I think.

15 Q And what was your position when you
16 started?

17 A Clerk.

18 Q And when did you become the election
19 supervisor, roughly?

20 A I think somewhere around '15.

21 Q And running forward to, let's say,
22 the 2019 period onward, who reported to you in the

1 Q How often did you meet with the Board
2 of Elections?

3 A Once a month.

4 Q And those were the regularly
5 scheduled board meetings?

6 A Correct.

7 Q Ms. Hampton, I'm going to skip around
8 a little bit, so just bear with me, and make sure
9 that you understand my question. But I want to
10 turn now to the video that you made showing the
11 issue with electronic adjudication.

12 Q Do you remember that?

13 A Yes, sir.

14 Q And when -- about when did you make
15 that?

16 A I think it was in December of '20.

17 Q That would have been several weeks
18 after the general election?

19 A Correct.

20 Q And what prompted you to make the
21 video?

22 A I discovered how an election

1 supervisor could change a vote during adjudication
2 by accident, and I showed a board member and he
3 wanted to bring it before the Board so that the
4 Board could see everything.

5 Q And which board member did you bring
6 it to?

7 A Eric Chaney.

8 Q And who actually made the video? Or
9 who made it with you, I should say?

10 A The Board.

11 Q The entire Board?

12 A Correct.

13 Q And how did -- did you make the video
14 public?

15 A I did not make the video public.

16 Q Was it made public to your knowledge?

17 A Yes.

18 Q What was it on? Twitter?

19 A I do not know.

20 Q And what sort of reaction did you get
21 from people to the posting of your video?

22 MR. MILLER: Object to form.

1 I'm an attorney for the Curling Plaintiffs. I work
2 at Morrison & Foerster.

3 MR. MILLER: I do not -- you don't
4 work with the State?

5 MS. ELSON: Correct.

6 MR. MILLER: Okay. So you -- so you
7 are not with law enforcement.

8 MS. ELSON: Oh, you said "law
9 enforcement." I apologize. I heard Morrison &
10 Foerster.

11 MR. MILLER: Okay. You know, as long
12 as there's no one with law enforcement on this, I
13 understand that it's a public deposition, but there
14 are considerations there. Bruce, I apologize for
15 jumping in in the middle of that. Please continue.

16 BY MR. BROWN:

17 Q I think my question was whether you
18 received any inquiry from the Secretary of State
19 with respect to your video showing the issue with
20 electronic adjudication.

21 MS. LAROSS: And I believe I lodged
22 an objection as to form.

1 THE WITNESS: So can I answer?
2 MR. MILLER: Yes, you may answer.

3 THE WITNESS: I did.

4 BY MR. BROWN:

5 Q And who contacted you?

8 Q The investigator from -- from the
9 State?

10 A Correct.

11 Q And what did he ask you or what did
12 you tell him?

15 Q About when did they come to the
16 office?

17 A I remember it was on a Friday, I
18 don't remember the date.

19 Q Was it before Christmas or after
20

²¹ See, for example, the discussion of the "right to be forgotten" in the European Union's General Data Protection Regulation (GDPR), Article 17(1).

Wait before you finished the

1 recount?

2 A At this time I -- I can't remember if
3 it was or was not.

4 Q What was the substance of the meeting
5 you had with the investigators?

6 A It was during the recount, or I think
7 it was after certification of the recount because
8 they came to investigate the recount as well.

9 Q And what -- what was it about the
10 recount that they were investigating?

11 A There was a 50-ballot difference.

12 Q And did you and the investigators
13 resolve the 50-ballot difference?

14 A We did.

15 Q And how did you resolve it?

16 A Counted the ballots by hand, put them
17 in stacks of a hundred.

18 Q And after you did that, did you
19 reconcile the -- the totals?

20 A To the penny.

21 Q Getting -- getting back to your --
22 your video, are you aware of any instance in which

1 MS. LAROSS: Objection as to form.

2 THE WITNESS: That's when they were
3 investigating the recount.

4 BY MR. BROWN:

5 Q And what did they do when they were
6 there in their investigation of the recount other
7 than trying to get the scanner to communicate with
8 the system?

9 MS. LAROSS: Objection as to form.

10 THE WITNESS: That's when we did
11 the -- that's when we hand counted the ballots?

12 BY MR. BROWN:

13 Q Okay. Who actually did the -- the
14 hand counting?

15 A The three investigators from the
16 State.

17 Q Anybody else?

18 A They counted them.

19 Q And that was the final count that you
20 did in Coffee County?

21 A Yes, sir.

22 Q Let me direct your attention to the

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1 next page, which is page 19 of Exhibit 3. And do
2 you see the -- I guess, are these photographs here
3 that you texted to Mr. Chaney?

4 A Yes.

5 Q And what do the photographs show?

6 A The poll pads.

7 Q And what are the poll pads showing?

8 A Netflix.

9 Q So you could get Netflix on a poll
10 pad?

11 A That's correct.

12 Q Did you ever tell Russ Ramsland about
13 this feature of the poll pads?

14 A Not that I recall.

15 Q If would turn the page to page 20 of
16 Exhibit 3. What do the photographs at the top of
17 the page of page 20 of Exhibit 3 show?

18 A A computer screen.

19 Q And what's shown on that computer?

20 A Solitaire.

21 Q So the -- is that the ICC scanner
22 computer?

1 BY MR. BROWN:

2 Q Did they copy the EMS server, the
3 EMS?

4 A I take the Fifth.

5 Q Did they copy the ImageCast Central
6 Tabulator?

7 A I take the Fifth.

8 Q Did they copy the laptop containing
9 the Dominion software?

10 A I take the Fifth.

11 Q Did they copy the 20 KNOWiNK poll
12 pads?

13 A I take the Fifth.

14 Q Did they copy CompactFlash cards used
15 to program the -- the ImageCast precinct scanner
16 tabulators?

17 A I take the Fifth.

18 Q Did they copy USB thumb drives used
19 to program ImageCast X -- capital X --
20 ballot-marking devices?

21 A I take the Fifth.

22 Q Did they get passwords for all of

1 those equipments -- equipment from you?

2 A I take the Fifth.

3 Q I'm going to refer to what I just
4 described in my questions, and that is the copying
5 of the election equipment in Coffee County as
6 "SullivanStrickler's work."

7 Do you follow me?

8 A Okay.

9 Q Did you give SullivanStrickler
10 permission to do their work on January 7, 2021?

11 A I did not do anything without the
12 direction of the Board.

13 Q And who specifically on the Board
14 gave you the Authority to give SullivanStrickler
15 the permission to do their work?

16 A Eric.

17 Q Who else?

18 Q Is that Eric Chaney?

19 A Correct.

20 Q Anybody else on the Board?

21 MR. MILLER: Just tell him the truth.

22 THE WITNESS: Ernestine.

1 BY MR. BROWN:

2 Q Who else?

3 A Matthew.

4 Q Who else?

5 A I can't recall.

6 Q So those three, you told -- well,

7 describe for me the circumstances in which you
8 received authority from these three board members
9 to give authority to SullivanStrickler to come into
10 the election county offices and Coffee -- and copy
11 the election system?

12 A I don't understand your question.

13 Q Did you have a meeting to talk about
14 it? Did you text them? Did you call them? Did
15 you all meet there?

16 How did they convey to the authority
17 to allow SullivanStrickler to do their work on
18 January 7?

19 A I don't really recall.

20 Q Okay. If someone were to say to
21 doubt you and to say, "No, you did this all on your
22 own, you did not have the authority of the Board,"

1 what would you point to or is there any evidence
2 that you're aware of that these board members did
3 give you this authority or direction?

4 MR. MILLER: Object to form.

5 THE WITNESS: I don't remember the
6 actual way that Eric told me about it.

7 BY MR. BROWN:

8 Q Did -- did Eric -- did Ernestine tell
9 you directly or was this secondhand through Eric?

10 A Through Eric.

11 Q What about Matthew, did Matthew tell
12 you directly or was it through Eric?

13 A Through Eric.

14 Q And so Eric Chaney told you in effect
15 that these board members want you to allow someone
16 to come in and copy the election software, correct?

17 MR. MILLER: Object to form.

18 THE WITNESS: Yeah.

19 BY MR. BROWN:

20 Q And when in relation to January 7,
21 which is the day they got there, did Mr. Chaney
22 convey that to you?

1 come in to copy the software, correct?

2 A I'm sorry. Say that again.

3 Q At some point, a couple days, maybe a
4 week, before January 7, Mr. Chaney conveyed to you
5 that you should allow a third party to come in and
6 copy the election software, correct?

7 A Correct.

8 Q What preparations did you need to
9 make or did you make before January 7th, for
10 SullivanStrickler's visit to Coffee County?

11 A Ask that again, please.

12 Q They came on January 7th. What did
13 you need to do beforehand to prepare for their
14 visit?

15 I mean, it may be nothing, I don't
16 know.

17 A I did nothing.

18 Q And Cathy Latham told you that they
19 were coming in advance?

20 A I don't recall that.

21 Q Who -- who told you?

22 A Eric.

1 (Hampton Deposition Exhibit Number 4

2 marked for identification.)

3 BY MR. BROWN:

4 Q Is that in front of you?

5 A No, sir.

6 Q If you would just let me know when
7 that comes up, I'd appreciate it.

8 A It's there.

9 Q If you would turn to the third page
10 of Exhibit 4, which is Tab 9. Do you see that?

11 A I do.

12 Q And these are text messages from
13 Cathy Latham to you. Is that correct?

14 A That's between Cathy and I, yes.

15 Q Okay. And so -- just so I get this
16 straight, at the top "okay" is -- is you, right?

17 A The blue is me.

18 Q Okay. I can't tell the colors.

19 But if you would -- I have blackened
20 my copy of it. I'm not looking at the screen.

21 The "okay" is I take it blue, and
22 that's yours, correct?

1 object or not to that.

2 MR. MILLER: Okay.

3 MS. LAROSS: Can I see the note as
4 well, Jonathan?

5 MR. MILLER: Sure.

6 I don't have -- I'm -- I'm done,
7 Bruce. Whenever you want to get back.

8 MR. BROWN: I'll withdraw -- I'll
9 withdraw the question. But, Jonathan, you may want
10 to reconsider taking the Fifth as to the last one.

11 MR. MILLER: Well, if Ms. Marks will
12 send you an e-mail or a text message real quick.

13 BY MR. BROWN:

14 Q Now, Ms. Hampton, you authorized
15 SullivanStrickler to have access to the election
16 equipment in Coffee County's Election office,
17 correct?

18 A I'm sorry?

19 Q You authorized SullivanStrickler on
20 January 7th to have access to Coffee County's
21 election software in your Coffee County's election
22 office, right?

1 A Under the direction of Eric, yes.

2 Q And you -- you could see them

3 actually copying the software, correct?

4 A I don't know that I -- I didn't know
5 that it was software that they were copying.

6 Q What did you think they were copying?

7 A I'm not a computer tech, so I really
8 did not know.

9 Q Okay. But you saw them working at
10 the server, correct?

11 A Correct.

12 Q And the ICC scanner computer,
13 correct?

14 A Correct.

15 Q And you saw them with all the
16 CompactFlash cards and USB drives, you saw them
17 copying all those, right?

18 A Correct.

19 Q Okay. And you saw them copying
20 the -- the poll pads also, correct?

21 A I can't recall the poll pads but ...

22 Q Maybe yes, maybe no, right?

1 A I can't recall for sure the poll

2 pads.

3 Q Okay. At any time did you tell Tony
4 Rowell that SullivanStrickler or anyone had been
5 given access to make copies of the election
6 equipment in Coffee County?

7 A I did not know.

8 Q You don't know of anybody informing
9 him?

10 A I do not know.

11 Q Okay.

12 MR. BROWN: I'm going to -- I'm going
13 to have -- for everybody's knowledge, I'm going to
14 go through one other small topic, short topic, and
15 then we'll take a break for lunch, if that's okay
16 with everybody.

17 BY MR. BROWN:

18 Q What I would like to do is ask you
19 some questions on sort of the events of
20 January 7th, in and out.

21 On the day that SullivanStrickler was
22 there, you opened the door for them, correct?

1 A I think I did one day, yeah.

2 Q And who else was there when the team
3 of -- the four people from SullivanStrickler came?
4 Who else was there in your office?

5 A Eric Chaney, Ed Voyles, Jil
6 Ridlehoover. I think Cathy Latham was. I can't
7 remember anyone else.

8 Q Do you recall Scott Hall being there?

9 A Yes.

10 Q Do you recall a gentleman with
11 Mr. Hall named Alex Cruce being there?

12 A I do not.

13 Q Do you remember somebody with him,
14 somebody with Mr. Hall?

15 A I -- yes.

16 Q Okay. And can you describe him or do
17 you recall?

18 A I do not recall.

19 Q What was Mr. Voyles doing there?

20 MR. MILLER: Object to form.

21 THE WITNESS: I do not know. I don't
22 recall.

1 Q To the best of your memory, did you
2 tell anyone at Dominion after SullivanStrickler had
3 been given access to your equipment and software
4 that that had happened?

5 A To the best of my memory, no.

6 Q Okay. And you -- you took a while to
7 answer, and I -- I do appreciate that, but is there
8 something that you're remembering that you might
9 have told them or they might have found out that
10 you're thinking about?

11 A No, sir, just running through my
12 brain.

13 Q Okay. I want to shift a couple of
14 days to January 17th, it's about ten days after
15 SullivanStrickler was there. Do you recall being
16 visited by Mr. Lenberg and Mr. Logan?

17 A Yes, sir.

18 Q And what were they doing at the
19 Coffee County Election's Office?

20 MR. MILLER: Object to form.

21 THE WITNESS: I do not recall.

1 BY MR. BROWN:

2 Q You just don't remember? You don't
3 remember Mr. Lenberg being there day after day?

4 A That's not what I said.

5 Q Do you remember why they were there?

6 A No, sir, I do not remember exactly
7 why they were there.

8 Q Do you remember generally why they
9 were there?

10 A No, sir.

11 Q Did you give either Mr. Lenberg or
12 Mr. Logan any authorization to have access to the
13 equipment?

14 A They were -- I mean, I was there, so
15 I had given them, you know, authorization, you
16 know, from direction of Eric.

17 Q Was the -- was your understanding
18 that the direction from Mr. Chaney extended from
19 the access that was given on the 7th to additional
20 access that was given on the 17th and the 18th?

21 A Correct.

22 Q Okay.

1 A Yes.

2 Q And how was that conveyed to you?

3 A How was that conveyed to me, is that
4 what you asked?

5 Q Yes. How did you know that?

6 A He never said no.

7 Q Well, if somebody just came off the
8 street, right, that you didn't know and said, you
9 know, "Can I hang out and sort of poke around your
10 election equipment," would you allow them to do
11 that?

12 I mean, I'm trying to move this
13 along. Okay? I mean, they -- they showed up. How
14 did you know they were getting there -- they were
15 coming?

16 What authority did you have to allow
17 them -- did you do this just on your own?

18 A As I stated before, I did it with
19 direction from Eric.

20 Q All right. So Mr. Chaney told you,
21 "There are going to be two more people coming on
22 January 17th and 18th"?

1 Q Okay. And what do you recall about
2 what either of them -- well, let's -- let's talk
3 about Mr. Lenberg first.

4 What do you recall Mr. Lenberg doing
5 when he was there?

6 A Discussing the election equipment.

7 Q With you?

8 A Yes, sir.

9 Q And so he was trying to figure out
10 how it worked. Is that right?

11 A Correct.

12 Q And you told him, right?

13 A Yes, sir.

14 Q You answered his questions, right?

15 A That's correct.

16 Q And did he -- did you give him sort
17 of hands-on access to the equipment or did he ask
18 you to do things to the equipment and then answer
19 questions? If that makes any sense.

20 A That don't make any sense.

21 Q Okay. Did you allow him access to
22 the equipment, hands-on?

1 A Did he touch the machines, is that
2 what you're asking?

3 Q Well, okay, did he touch the
4 machines?

5 A No.

6 Q Okay. Did he ask not to touch the
7 machines?

8 A Not that I recall.

9 Q Okay. So how did -- how did -- did
10 he examine the machines -- the machines through
11 you? Did you do it for him?

12 A I was the one that was physically
13 touching the machines, yes.

14 Q Right. Okay.

15 A And give me an example of what you
16 can recall about Mr. Lenberg asking you to do on
17 the machines.

18 MR. MILLER: Object to form.

19 THE WITNESS: I don't recall, sir.

20 BY MR. BROWN:

21 Q But basically he was trying to figure
22 out how they worked, right? Fair to say?

1 A I would say so.

2 Q And did he ask you to make any copies

3 of any of the equipment or the software or the

4 thumb drives or anything else in there?

5 A I'm going to plead the Fifth on that.

6 Q Okay. And I believe the video shows

7 that Mr. Lenberg came over a period of days. Is

8 that consistent with your recollection?

9 A Yes, sir.

10 Q Okay. And so he would come and ask
11 you questions and have you do certain things on the
12 machines, leave and then come back the next day and
13 do -- do that some more, right?

14 A Correct.

15 Q Okay. And was the purpose of this
16 again to fix your ICC scanner or was there another
17 purpose for Mr. Lenberg's visit?

18 MR. MILLER: Object to form.

19 THE WITNESS: I can't answer that.

20 BY MR. BROWN:

21 Q Do you know why he was there, why he
22 was allowed to be there?

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1 MR. MILLER: Object to form.

2 THE WITNESS: No, sir, I do not.

3 BY MR. BROWN:

4 Q Okay. So Mr. Chaney gave you the
5 instruction, you followed it, but you did not know
6 what the purpose of it was, correct?

7 A I didn't do anything without the
8 direction of Eric Chaney.

9 Q Right.

10 At Mr. Chaney's direction, you
11 allowed Mr. Lenberg to have access to the equipment
12 and you answered his questions. And you do not
13 know specifically why that was being done, correct?

14 MR. MILLER: Object to form.

15 THE WITNESS: Correct.

16 BY MR. BROWN:

17 Q Okay. Is it fair to say that it had
18 to be for some reason other than fixing the ICC
19 scanner?

20 MR. MILLER: Object to form.

21 THE WITNESS: I don't know how to
22 answer that question.

1 Q Okay. Now, other than Mr. Chaney,
2 who did you discuss Mr. Logan and Mr. Lenberg's
3 visit to the Coffee County Election's Office with?

4 A I don't recall.

5 Q Okay. Do you recall referring to the
6 activities of Mr. Lenberg and Mr. Logan as, quote,
7 measuring your desk?

8 Do you recall that?

9 A I do.

10 Q And why did you use that code to
11 describe the work that they were doing?

12 MR. MILLER: Object to form.

13 THE WITNESS: I plead the Fifth on
14 that.

15 BY MR. BROWN:

16 Q Did you think that there was
17 something wrong with what they were doing?

18 MR. MILLER: Object to form.

19 THE WITNESS: I plead the Fifth on
20 that.

21 BY MR. BROWN:

22 Q Did Mr. Voyles know that -- or did

1 THE WITNESS: I do not know.

2 BY MR. BROWN:

3 Q Let me direct your attention to what
4 is going to be marked as Exhibit 5, which is Tab
5 25.

6 (Hampton Deposition Exhibit Number 5
7 marked for identification.)

8 BY MR. BROWN:

9 Q And before I do that, let me ask some
10 of the same questions about -- about -- about
11 Mr. Logan. This is going to be repetitive, but the
12 questions I had asked you before was about
13 Mr. Lenberg.

14 You recall Mr. Logan being in your
15 offices. Is that right?

16 A Yes.

17 Q And you do not know the purpose of
18 his visit, correct?

19 A **Correct.**

20 Q And you don't recall whether he asked
21 you one way or the other to change the clock,
22 correct?

1 A Correct.

2 Q And he did not touch -- actually
3 touch the equipment, correct?

4 A Correct.

5 Q Instead he asked questions and you
6 answered them. Is that right?

7 A Correct.

8 Q And in some instances he asked you to
9 do things on the computer. Is that right?

10 And you would do that according to
11 his instructions. Is that right?

12 A Correct.

13 Q And as far as you know, did he make
14 any copies of anything that he saw there or -- or
15 worked on there?

16 A I don't recall.

17 Q And you don't know -- okay. That's
18 good.

19 And before he got there -- or while
20 he was there, did you know that he was associated
21 with the group Cyber Ninjas?

22 A No, sir.

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1 A I don't know what the special report
2 is.

3 Q You don't know what he was doing with
4 the information that you were giving him, right?

5 A Correct.

6 Q If you drop down to the 22nd,
7 Mr. Lenberg says at 14:11, "Hey guys. Whenever Jim
8 is available, we three should get up to date.
9 Status here in Coffee County has changed quite a
10 bit and I am having to shift plans."

11 Do you see that?

12 A I do.

13 Q Do you know what on or about
14 January 27th would have changed the status --

15 MR. MILLER: Object to form.

16 BY MR. BROWN:

17 Q -- in Coffee County?

18 A No, sir.

19 Q Let me direct your attention to the
20 circumstances around your termination from Coffee
21 County. And the -- the stated reason for your
22 termination was that you had falsified time

1 records, right?

2 A Correct.

3 Q And it's your belief that that is not
4 the real reason you were fired, correct?

5 A Well, I was forced to resign so ...

6 Q I'm sorry, I -- I knew that. Let me
7 ask it again.

8 That the falsification of your time
9 sheets was not the reason you were forced to
10 resign, correct?

11 MS. LAROSS: Objection to form.

12 MR. MILLER: Ditto.

13 THE WITNESS: Correct.

14 BY MR. BROWN:

15 Q What do you believe was the reason
16 that you were forced to resign?

17 MR. MILLER: Object to form.

18 THE WITNESS: I believe that I was
19 forced to resign because -- I'm trying to think of
20 how to put it without being very hateful. I think
21 I was forced to resign, one, because of the video
22 that was created, and the State and Dominion was

1 coming down on Coffee County. It's just my belief.

2 BY MR. BROWN:

3 Q Is it -- why was Dominion coming down
4 on Coffee County?

5 MR. MILLER: Object to form.

6 BY MR. BROWN:

7 Q Well, let me -- let me correct it.

8 MR. BROWN: Jonathan, you're correct.

9 BY MR. BROWN:

10 Q So let me -- let me try to summarize
11 what you're saying, because I think I get it.

12 On the video you were critical of
13 Dominion's equipment, correct?

14 A Correct.

15 Q And you believe that at least one of
16 the reasons for being forced to resign was not
17 falsifying time sheets, but was the fact that you
18 had been critical of Dominion and, by extension,
19 the Secretary of State, correct?

20 MS. LAROSS: Objection as to form.

21 THE WITNESS: Correct.

22

1 BY MR. BROWN:

2 Q I'm not suggesting that you need any
3 more evidence, but do you have any evidence other
4 than simply sort of the chronology of events that
5 would lead you to that conclusion?

6 A The chairman of my Board -- of the
7 Board, excuse me, signed off on every time sheet
8 that was turned in and I was a salary employee.

9 Q So that was obviously bogus, right?

10 MS. LAROSS: Objection as to form.

11 BY MR. BROWN:

12 Q I mean, what you're saying is it --
13 since you were a salary employee and since your
14 time sheets are signed off, it's highly unlikely
15 that that was the reason that you were terminated.
16 Fair to say?

17 MS. LAROSS: Objection as to form.

18 MR. MILLER: You can answer.

19 THE WITNESS: I think so.

20 BY MR. BROWN:

21 Q Okay. Did anybody suggest to you, in
22 any kind of communication, that the reason -- the

1 real reason that you were being asked to resign was
2 because you were critical of Dominion's system?

3 A Yes.

4 Q Who?

5 A A lot of people in the public that
6 saw the video.

7 Q Anybody associated with Coffee
8 County, Coffee County Board, Board of Elections?

9 A No, sir.

10 Q I'm not suggesting -- I'm not
11 suggesting that -- that you needed to support your
12 belief, because you've already answered why you
13 believe it, but I just need to get all the facts
14 down.

15 Like did Mr. Chaney ever suggest that
16 that's why you were asked to resign?

17 A No, sir.

18 Q Or Ernestine?

19 A No, sir.

20 Q Okay. And do you recall being
21 terminated right around January -- or, I'm sorry,
22 February 25th? Does that sound right?

1 A Yes, sir.

2 Q Okay. Let me direct your attention
3 to Exhibit 6, which is going to be Tab 1.

4 (Hampton Deposition Exhibit Number 6
5 marked for identification.)

6 BY MR. BROWN:

7 Q Tab 1 is going to be Exhibit 6.

8 A It's up.

9 Q Okay. Let me direct your attention
10 to page 2. And during the month on the 24th,
11 you -- you mentioned that you were being asked to
12 speak to the Rotary Group on the 24th. Do you see
13 that?

14 A I do.

15 Q And then was there a board meeting
16 that day or the next day? Do you recall?

17 A I found out later that night that
18 there was, yes.

19 Q Okay. And so the Board met without
20 you. Is that right?

21 A Excuse me?

22 Q Did the Board meet without you?

1 Q The next text you say -- or she says,
2 I'm sorry, "How is it today? Finished?" Do you
3 see that?

4 A I do.

5 Q And the answer may be somewhere, it's
6 not on the next page, but let me continue.

7 And on the next page, page 7, you say
8 at 3:48, "Going great so far." Do you see that?

9 A I do.

10 Q Now, that's referring to
11 SullivanStrickler's access to the equipment and
12 software. Is that right?

13 A I don't recall.

14 Q If you skip over to page 8, on
15 January 10.

16 A Can you scroll up, please?

17 Q Had you borrowed Cathy Latham's
18 church's scanner?

19 A I remember she brought a scanner.

20 Q What for?

21 MR. MILLER: Object to form.

22 THE WITNESS: I'm trying to remember.

1 A Yes, sir.

2 Q And you don't know whether she
3 destroyed any of her e-mails, do you?

4 A I can't answer that question. No,
5 sir.

6 Q Ms. Hampton, I have some questions
7 about the passwords that you used to access the
8 election software. The -- the EMS -- the main EMS
9 server was password protected, correct?

10 A Correct.

11 Q To get into the EMS server, did you
12 need one password or were there a couple of
13 gateways that you needed additional passwords for?

14 A I don't remember how many passwords.

15 Q As far as you know, there was one?

16 A I know there was one, but I don't
17 know if there was more or not, I can't remember.

18 Q Now, do you recall that in your video
19 there was a Post-It note that showed a password?
20 Do you recall that?

21 A I do.

22 Q And what was that a password for?

1 A I -- it was for the system, but I
2 don't remember -- I mean, it was for that election,
3 the 2020 election.

4 Q Was it the password that was specific
5 to that election or was it for the EMS server, if
6 that makes any sense?

7 A For that election.

8 Q Okay. So you needed that to get
9 information from the Secretary of State about the
10 2020 election, correct?

11 A The Secretary of State's office gave
12 us those passwords.

13 Q And that was different than the
14 password to the EMS server itself, correct, or was
15 it the same?

16 A I can't recall. I know -- I know it
17 was a password given by the Secretary of State, but
18 I don't remember exactly which program it went to.

19 Q After the password was exposed
20 online, did anyone ask you to change the password?

21 A That password was for the 2020
22 election and the 2020 election was over when the

1 video went live or went over the internet.

2 Q Okay. Did you ever change the
3 password to the EMS server?

4 A Not that I recall, no, sir.

5 Q Did you -- did you have the
6 authority -- the administrative authority to change
7 the password on the EMS computer?

8 A No. Not that I was aware of, no,
9 sir.

10 Q Okay. And who did, to the best of
11 your knowledge?

12 A The Secretary of State's office.

13 Q And I'm referring to the server
14 itself, not to an election-specific password. Do
15 you follow me?

16 A I -- yes, sir, I follow you.

17 Q Okay. It's your understanding that
18 the local election people did not have the
19 administrative authority to change the -- the
20 password on the EMS server, correct?

21 A Correct.

22 MS. LAROSS: Objection as to form.

1 | Exhibit 21.

2 A Exhibit 22.

(Hampton Deposition Exhibit Number 22

7 marked for identification.)

8 BY MS. ELSON:

9 Q All right. Let me know when you can
10 see that exhibit.

11 A And who do you represent again? I'm
12 sorry.

13 Q The Curling Plaintiffs. We are
14 co-plaintiffs with Mr. Brown's clients

15 A It's up

16 Q All right. Is this you in the image?

17 A It is.

18 O And where are you seated?

19 A In the GEMS room, as I called it.

20 O Do you see the -- that small paper

Post-It that's attached to the bottom of the

22 computer monitor?

1 A I do.

2 Q I have a zoomed-in copy if you can't
3 see that, but my question for you is, what is that?

4 A That was a password to the election.

5 Q And by "password to the election"
6 you're referring to those election-specific
7 passwords that the State released for the election?

8 A Yes. It's the same one that's on the
9 memo that is on the desk.

10 Q I understand. Thanks.

11 A That is issued by the State.

12 Q And does the State issue the same
13 password to each county for each election?

14 MR. MILLER: Objection as to form.

15 MS. LAROSS: Objection as to form.

16 THE WITNESS: Yes.

17 BY MS. ELSON:

18 Q Okay. And who has access to that
19 password, besides you obviously?

20 A Jil had access to it. The Board
21 members had access to it, but I mean they didn't
22 know how to ...

1 Q Okay. Could it have been the
2 password to the EMS?

3 A Like I said, I can't remember which
4 program it went to.

5 Q I got you.

6 A What's it say under it?

7 Q Great question. And I do not know.
8 I have an associate looking for a clearer image of
9 that.

10 In the meantime, so we don't waste
11 time, I'm going to introduce Exhibit 23.

12 (Hampton Deposition Exhibit Number 23
13 marked for identification.)

14 BY MS. ELSON:

15 Q Tell me when you can see that.

16 A It's up.

17 Q Do you recognize this image?

18 A I do.

19 Q And what is it?

20 A It's the same sticky note.

21 Q And what's the sticky note taped to?

22 A The computer. I can't remember what

1 that piece is called.

2 Q Oh, yeah.

3 A I called it "the box" but --

4 Q Modem?

5 A Yeah, hard drive, whatever. Yeah.

6 Q And when you say "computer," do you
7 mean the computer that's attached to that monitor
8 we saw in the picture we were just looking at?

9 A Yes.

10 Q So this is the box attached to the
11 monitor in the GEMS room?

12 A Yes.

13 Q Okay. Does this refresh your
14 recollection any more about what the SOS_Georgia
15 password is for?

16 A I think that's the one to the actual
17 computer.

18 Q And by that you mean when you turn on
19 the computer, you have to log into a user account
20 and that would be the password you use?

21 And I -- I'm sorry, I know you
22 haven't answered, but I'll just add that, you know,

1 you don't need to speculate. So if you don't know,
2 that's fine, but if you want to say that, you know,
3 it might be that password or -- that's also --

4 A I remember the password and I
5 remember typing that, but I don't remember which
6 program it went in to.

7 Q Okay. Could it be the password to
8 the EMS server? I know you don't remember it
9 completely.

10 MR. MILLER: Object to form.

11 THE WITNESS: I don't remember. I'm
12 sorry.

13 BY MS. ELSON:

14 Q No need to be sorry. Thank you. All
15 right. One more password for you.

16 (Hampton Deposition Exhibit Number 24
17 marked for identification.)

18 BY MS. ELSON:

19 Q I'm going to introduce Exhibit 24.

20 Let me know when you can see this one.

21 A It's up.

22 Q All right. I apologize. Do you

1 recognize this password?

2 A I do.

3 Q And what is this the password for?

4 A That is the password issued by the
5 State for the election.

6 Q Do you remember which election?

7 A 2020.

8 Q And would this be the same case as
9 previously, in that the State issued the same
10 password to every county for this election?

11 MR. MILLER: Object to form.

12 MS. LAROSS: Objection as to form.

13 THE WITNESS: Correct.

14 BY MS. ELSON:

15 Q Okay. All right. Did you ever --
16 and this question doesn't have to do with this
17 picture.

18 Did you ever change a password to an
19 EMS server?

20 A No, I did not.

21 Q Did anyone ever ask you to?

22 A No.

1 Q Were you aware of anyone ever
2 changing a password to the EMS server?

3 A No, I was not.

4 Q Okay.

5 A If they would look underneath the
6 desk, there's a password taped to the bottom of the
7 desk.

8 Q And that password would be for the
9 EMS server?

10 A For the actual -- yeah, to log into
11 the computer for the first time.

12 Q Okay. And to the best of your
13 knowledge, does each county have a different EMS
14 server password?

15 MR. MILLER: Object to form.

16 MS. LAROSS: Objection as to form.

17 THE WITNESS: I don't know that
18 answer.

19 BY MS. ELSON:

20 Q Okay.

21 A I don't know other counties.

22 Q That's fine. Thank you.

1 couldn't log in.

2 BY MS. ELSON:

3 Q Would you be willing to allow us to
4 try and recover your Signal messages?

5 MR. MILLER: I'm not going to let her
6 answer that question. I object to form.

7 MS. ELSON: Okay. You're instructing
8 her not to answer?

9 MR. MILLER: Yeah, I am, I am
10 instructing her to take the Fifth.

11 MS. ELSON: Okay.

12 THE WITNESS: I take the Fifth on
13 that.

14 BY MS. ELSON:

15 Q And this was discussed previously, so
16 I'm sorry to be a bit duplicative, I just want to
17 make sure I understand something.

18 It was Eric Chaney who thought it
19 would be a good idea for you to make this YouTube
20 video to educate people about the scanner issue,
21 correct?

22 A Correct.

1 Q And you had nothing to do with that
2 video being released to the public?

3 A Correct.

4 Q When was the last time you spoke to
5 Mr. Chaney?

6 A February the 25th.

7 Q Of 2022?

8 A '1.

9 Q 2021. Okay.

10 Why was Mr. Chaney dismissed?

11 MS. LAROSS: Objection as to form.

12 THE WITNESS: I have no idea.

13 BY MS. ELSON:

14 Q So I know we spoke a bit about the
15 SullivanStrickler visit on January 7th, and the
16 visits later that month by Doug Logan and Jeff
17 Lenberg.

18 Did anyone help you with the
19 logistics of arranging the visit by Doug Logan and
20 Jeff Lenberg to the office?

21 MR. MILLER: Plead the Fifth.

22 THE WITNESS: I take the Fifth on

1 that.

2 BY MS. ELSON:

3 Q And I understand that January 18th
4 was a holiday, so the office was closed. Who --
5 did someone tell you that it was okay to open the
6 office on that day?

7 A I take the Fifth on that.

8 Q Okay. Random question for you. I'm
9 going to introduce the next exhibit.

10 (Hampton Deposition Exhibit Number 25
11 marked for identification.)

12 BY MS. ELSON:

13 Q Let me know when you can see that.

14 VIDEOGRAPHER: This is going to be
15 Exhibit 25, ma'am?

16 MS. ELSON: Thank you, sir.

17 THE WITNESS: It's up.

18 BY MS. ELSON:

19 Q Thank you.

20 It's my understanding that the item
21 this person is holding is one of those ring lights
22 that people use behind them when they're live

1 BY MS. ELSON:

2 Q Did you bring in a BMD into the room
3 while Doug Logan and Jeff Lenberg were there?

4 A I plead the Fifth.

5 Q Did you bring in an ICP?

6 A I plead the Fifth.

7 Q Okay. I know you mentioned that no
8 one from the Coffee County Board has contacted you
9 since you were forced to resign. Has anyone from
10 the Secretary's office contacted you?

11 A Yes.

12 Q And who is that?

13 A I don't remember his name. He was an
14 investigator.

15 Q Do you know who he was an
16 investigator with?

17 A He was an investigator with the
18 Secretary of State's office.

19 Q And about when did he contact you, or
20 exactly if you know?

21 A I don't remember.

22 Q But it was after you had been forced

1 to resign from your post?

2 A Yes.

3 Q Okay. And did you speak with the
4 investigator?

5 A I did.

6 Q Did you -- how did you speak with
7 him? Did you meet in person? Did you e-mail?
8 Have a phone call?

9 A We had a phone call. It was about
10 a -- an activist in Coffee County that had touched
11 the machines.

12 Q Did you speak about anything else
13 with the investigator?

14 A Did not.

15 Q What activist were you discussing
16 with the investigator?

17 A Olivia Pearson.

18 Q And when did she -- when did
19 Ms. Pearson touch the equipment in Coffee County?

20 A I don't remember the date. I'm
21 sorry.

22 Q That's okay.

1 And what other details can you tell
2 me about the conversation you had with that
3 investigator?

4 A That's an ongoing investigation and
5 so I don't think I can discuss it.

6 Q Okay. Has anyone from the State
7 Election Board contacted you in regards to the
8 Coffee County visits by SullivanStrickler or Logan
9 or Lenberg?

10 A Have not.

11 Q Has anyone from the Center for
12 Election Security contacted you about that topic?

13 A Not that I'm aware of.

14 Q Has anyone from any other law
15 enforcement bodies contacted you about that topic?

16 A None.

17 Q Okay. Did the State ever
18 contacted -- contact you about -- or I'll start
19 over.

20 I know that Mr. Brown asked you if
21 Coffee County ever contacted you requesting your
22 help after you were forced to resign to get James

1 THE WITNESS: I do not know.

2 BY MS. ELSON:

3 Q Okay. Last question for me right
4 now. And I'll just remind you that you're under
5 oath. My question is: Have you produced all of
6 the documents that you have that are responsive to
7 the subpoenas that the Plaintiffs served on you?

8 A To the best of my knowledge, I have.

10 I know I said that was my last
11 question, I have one more to clean up.

12 So you told me that no one had
13 contacted you from the Secretary of State's office,
14 Coffee County's office, State Election Board
15 regarding these visits, or even regarding anything
16 after you were forced to resign, besides the
17 investigator who you discussed the activist,
18 Ms. Pearson with.

19 Did anyone from the Georgia Bureau of
20 Investigations contact you after you were forced to
21 resign?

22 A No, ma'am.

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1 not inform the Secretary's office before the folks
2 came on January 7th, 2021, to access the Coffee
3 County server and election equipment?

4 A I do not answer to the Secretary of
5 State's office, I answer to the Board. The Board
6 answers to the Secretary of State's office.

7 Q So you didn't think it important to
8 let the Secretary's office know that something like
9 that was going to happen?

10 A Again, I reported to the Board.

11 Q And I understand that Mr. Lenberg and
12 Mr. Logan were in the Coffee County Election
13 Office, I believe, in January 18th and 19th. And
14 you've already testified about that so I'm going to
15 ask you similar questions about that visit.

16 Did you inform anyone at the
17 Secretary of State's office before Mr. Lenberg and
18 Mr. Logan came to the Coffee County Office, as you
19 described earlier in your testimony, in late
20 January of 2021?

21 A I did not.

22 Q And why did you not let the

1 | Secretary's office know?

2 MR. MILLER: I advise you to take the
3 Fifth.

4 THE WITNESS: I take the Fifth.

5 BY MS. LAROSS:

6 Q And then after their visit, did you
7 inform anyone from the Secretary's office that they
8 had visited the Coffee County Election Office on
9 January 18th and 19th?

10 A I did not.

11 Q And I believe you described
12 previously in your testimony that Mr. Lenberg and
13 Mr. Logan didn't actually touch the election
14 equipment.

15. *Do I recall that correctly?*

16 A To the best of my knowledge.

17 Q And so you didn't see them while you
18 were with them? You didn't see them touch the
19 equipment?

20 A I'm sorry. I didn't hear you.

21 Q So you didn't -- you didn't actually
22 see them touch the equipment while you were there

1 with them on January 18th and the 19th in 2021, in
2 the Coffee County Election Office?

3 A Not to my knowledge.

4 Q And I think you described that they
5 were there asking you questions and you physically
6 were going onto the system. Do I have that
7 correct?

8 A Yes.

9 Q And what did they ask you to do?
10 Do you remember anything that they
11 asked you to do or what they wanted you to -- asked
12 you to look at? What questions they had?

13 A I don't recall.

14 Q Did you print out anything that they
15 took from the office on the occasion when
16 Mr. Lenberg and Mr. Logan were in the office -- the
17 Coffee County Office in January 18th and 19th in
18 2021?

19 A I don't remember.

20 Q And I'm not sure I asked you, after
21 Mr. Lenberg and Mr. Logan were in the Coffee County
22 Office, did you inform anyone at the Secretary of

1 State's office or connected with the Secretary of
2 State's office that they had visited the office?

3 A I did not.

4 Q And why not?

5 MR. MILLER: I would advise you to
6 take the Fifth.

7 THE WITNESS: I take the Fifth.

8 BY MS. LAROSS:

9 Q You testified earlier you said that
10 you gave a deposition and that you also met with
11 Ms. Marks previously. Do I have that correct?

12 A That's.

13 Q Okay. On how many occasions did you
14 meet with Ms. Marks?

15 A I think it's been one, I think.

16 Q Okay. And at that meeting who else
17 was in attendance at the meeting with Ms. Marks?

18 A Not counting my attorney?

19 Q Oh, sure. So your attorney was
20 there. So Jonathan was there with you certainly.
21 Okay.

22 And was -- Ms. Marks, was her

1 CERTIFICATE OF NOTARY PUBLIC

2 I, FELICIA A. NEWLAND, CSR, the officer before whom
3 the foregoing video-recorded deposition was taken,
4 do hereby certify that the witness whose testimony
5 appears in the foregoing deposition was duly sworn
6 by me; that the testimony of said witness was taken
7 by me in stenotype and thereafter reduced to
8 typewriting under my direction; that said deposition
9 is a true record of the testimony given by said
10 witness; that I am neither counsel for, related to,
11 nor employed by any of the parties to the action in
12 which this deposition was taken; and, further, that
13 I am not a relative or employee of any counsel or
14 attorney employed by the parties hereto, nor
15 financially or otherwise interested in the outcome
16 of this action.

17 
18

19 _____
20 FELICIA A. NEWLAND, CSR

21 Notary Public

22 My commission expires:

September 15, 2024